

These notes refer to the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 (c.5) which received Royal Assent on 9 August 2018

PUBLIC HEALTH (MINIMUM PRICE FOR ALCOHOL) (WALES) ACT 2018

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3: Meaning of “supply of alcohol” and “qualifying premises”

20. This section defines the “supply of alcohol” as being the sale by retail of alcohol to a person in Wales, or the supply by or on behalf of a club to one of its members in Wales, or to a person in Wales on behalf of a member of the club. (An example of a club for this purpose could be a rugby club or another club where members have joined together for a particular purpose.)
21. “Sale by retail” for this purpose has the same meaning as in the Licensing Act 2003. Whether a particular transaction involving alcohol is a “sale by retail” will depend on the facts of each case.
22. “Qualifying premises” are also defined in this section. Subsection (2) provides that premises are “qualifying premises” if:–
 - (a) a premises licence under Part 3 of the Licensing Act 2003 authorises the premises to be used for the supply of alcohol (for instance, premises where alcohol is sold to the public such as pubs or supermarkets);
 - (b) a club premises certificate under Part 4 of the Licensing Act 2003 certifies that the premises may be used to supply alcohol (for instance, this could be a rugby club); or
 - (c) the supply of alcohol on or from the premises is a permitted temporary activity under Part 5 of the Licensing Act 2003. For instance, this could be where alcohol is supplied in a small festival or street fair.